

**GOVERNMENT OF PUERTO RICO
PUBLIC SERVICE REGULATORY BOARD
PUERTO RICO ENERGY BUREAU**

**IN RE: THE UNBUNDLING OF THE ASSETS
OF THE PUERTO RICO ELECTRIC POWER
AUTHORITY**

CASE NO.: NEPR-AP-2018-0004

**SUBJECT: Request for Additional Time to
Answer Second Request for Information
Served on June 11, 2021, and Procedural
Calendar Amendment.**

RESOLUTION AND ORDER

On February 5, 2021, the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) issued a Resolution and Order (“February 5 Order”) through which it established the Procedural Calendar for the instant case. As part of the Procedural Calendar, the Energy Bureau established a period for the Discovery Process, to commence on May 10, 2021. The Energy Bureau determined that there will be a ten (10) day term to answer all information requests.

On June 16, 2021, LUMA Energy, LLC as ManagementCo, and LUMA Energy ServCo, LLC as ServCo (together, “LUMA”) filed before the Energy Bureau a document titled *Request for Additional Time to Answer Second Request for Information Served on June 11, 2021* (“Request”). Through its Request, LUMA states that on June 10, 2021, it received a first Requirement of Information (“ROI”) from the Energy Bureau, as well as a first ROI from the Independent Consumer Protection Office (“ICPO”). Further, on June 11, 2021, LUMA received the second ROI from the Energy Bureau. LUMA argues that the Energy Bureau’s second ROI was issued one day after the period to conduct discovery expired.

Through its Request, LUMA states that upon receiving the ROIs it has coordinated its resources to identify responsive documents and data, draft initial responses and discuss the need to conduct additional diligences to answer several requests.¹ LUMA states that the three ROIs demand individualized consideration and require providing narrative answers and explanations to important and complex questions.² LUMA argues that, despite its best effort and planning, LUMA and its consultant understand it is not feasible to answer the Energy Bureau’s second ROI by the ten (10) day term. Therefore, LUMA requests three business days, until end of June 24, 2021, to file responses to the Energy Bureau’s second ROI.

As stated above, through its Request, LUMA informed the Energy Bureau that it had received a first ROI from the ICPO. However, upon review of the administrative file of this case, the Energy Bureau has not found a notification from the ICPO serving the

¹ Request, p. 2, ¶ 7.

² *Id.*, p. 3, ¶ 8.



aforementioned ROI. Through the February 5 Order, the Energy Bureau established that “[e]very request of information or documents, and the corresponding answers, shall be notified by email to the address on record of every intervenor and to the Energy Bureau.”³ Therefore, the Energy Bureau **ORDERS** the ICPO to file a copy of the first ROI served to LUMA on June 10, 2021, **within two (2) days of the notification of this Resolution and Order.**

Upon review of LUMA’s arguments, the Energy Bureau **GRANTS** the Request. Therefore, LUMA shall file responses to the Energy Bureau’s second ROI **on or before June 24, 2021.**

Further, the Energy Bureau **CLARIFIES** that the period to conduct discovery **ends on June 30, 2021**, as established in Attachment A of the February 5 Order. There will be a ten (10) day term for LUMA to answer all information requests. In light of the aforementioned clarification, the Energy Bureau **AMENDS** the Procedural Calendar as follows:

Date	Phase
May 10, 2021 – June 30, 2021	Discovery Process
July 9, 2021	Intervenor’s Written Testimony Due
July 19-21, 2021	Evidentiary Hearing
August 10, 2021	Final Briefs Due
August 12, 2021	Public Hearing
August 20, 2021	Replies to Final Briefs Due
August 20, 2021	Public Comments Due

All other provisions of the February 5 Order not amended with this Resolution and Order remain unaltered.

The Energy Bureau **WARNS** LUMA that noncompliance with this Resolution and Order may result in the imposition of fines under Act 57-2014⁴ and the applicable Energy Bureau’s regulations and/or any other appropriate administrative sanctions, as deemed appropriate by the Energy Bureau.

Be it notified and published.

³ February 5 Order, p. 4.

⁴ Known as the *Puerto Rico Energy Transformation and RELIEF Act*, as amended.




Edison Avilés Deliz
Chairman


Ángel R. Rivera de la Cruz
Associate Commissioner


Lillian Mateo Santos
Associate Commissioner


Ferdinand A. Ramos Soegaard
Associate Commissioner


Sylvia B. Ugarte Araujo
Associate Commissioner

CERTIFICATION

I certify that the majority of the members of the Energy Bureau of the Puerto Rico Public Service Regulatory Board has so agreed on June 22, 2021. I also certify that on this date a copy of this Resolution was notified by electronic mail to: margarita.mercado@us.dlapiper.com; kbolanos@diazvaz.law, jmarrero@diazvaz.law, contratistas@jrsp.pr.gov, hrivera@jrsp.pr.gov, manuelgabrielfernandez@gmail.com, ramonluisnieves@rlnlegal.com; ccf@tcm.law. I also certify that today, June 22, 2021, I have proceeded with filing the Resolution issued by the Puerto Rico Energy Bureau.

I sign this in San Juan, Puerto Rico, today June 22, 2021.


Sonia Seda Gaztambide
Clerk

